



Paper No. 9

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MAY 27 2003

OFFICE OF PETITIONS

In re Application of
Anderson et al.
Application No. 09/995,257
Filed: November 27, 2001
Attorney Docket No. 21652.CIP1

:
: LETTER HOLDING DECISION
: IN ABEYANCE AND REQUESTING
: SUBMISSION OF DOCUMENTS
:

This letter acknowledges receipt of the March 24, 2003 renewed petition under 37 CFR 1.47(b). The renewed petition has not complied with the requirements of the September 16, 2002 decision which dismissed the prior §1.47(b) petition filed on June 19, 2002.

The following documents are required before the Office is able to render a decision on the renewed petition:

- (1) A statement under 37 CFR 3.73(b), executed by the appropriate officer of **each** of the co-assignees;¹
- (2) An application oath or declaration, identifying the claimed invention and the inventors, executed by the appropriate officer of **each** of the co-assignees.²

¹ Blank form attached.

The renewed petition states that the Florida Department of Citrus **will** transfer its undivided rights in this application to the Idaho Potato Commission. If the assignment has not taken place, the statement under 37 CFR 3.73(b) must be signed by an officer of **each** co-assignee, i.e., the Idaho Potato Commission **and** the Florida Department of Citrus, even though the inventors made the claimed invention while employed by the Idaho Potato Commission. If the assignment has already been executed, counsel should submit a copy of the assignment; a §3.73(b) statement identifying the Idaho Potato Commission as the sole assignee and signed by the appropriate officer of the Idaho Potato Commission.

² MPEP section 409.03(b) (Rev.1, Feb. 2003) (Where a corporation is the 37 CFR 1.47(b) applicant, an officer . . . thereof should normally sign the necessary oath/declaration).

Unless the assignment has already been executed, in that case the new oath/declaration should identify the claimed invention, the inventors, the Idaho Potato Commission as the sole assignee, and be signed by the appropriate officer of the Idaho Potato Commission.

To prevent abandonment of this application, the properly executed documents must be filed within **THIRTY (30) DAYS** of the mailing of this letter, and should be addressed as follows:

by mail/by hand: Commissioner for Patents, USPTO
Office of Petitions
Crystal Plaza Four, Suite CP4-3C23
2201 South Clark Place
Arlington, VA 22202

by fax: (703) 308-6916
Attn: Office of Petitions

Telephone inquiries should be directed to the undersigned at (703) 308-0763.



RC Tang
Petitions Attorney
Office of Petitions

Attachments: Form PTO/SB/96 (04-03) (Statement under 37 CFR 3.73(b))
Summary of 1974 Privacy Act (P.L. 93-579)